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## Office of the Governor

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February 25, 2005

United States Department of Interior  
Attention: Judge Craig Manson  
Assistant Secretary for Fish Wildlife and Parks  
1849 C Street, N.W.  
Washington DC 20240

Dear Judge Manson:

Following our February 6, 2005 meeting in Cheyenne, I was hopeful that the U.S. Fish and Wildlife Service (Service) would provide a constructive response to Terry Cleveland's January 5, 2005 letters concerning the Daniel wolf pack's repeated disturbance on the Finnegan, North Piney, Bench Corral, Jewett and Franz elk feedgrounds. My hope was couched in the assurances provided by Clint Riley, Special Assistant to Steve Williams, and you that the Service was poised to offer a meaningful solution to Mr. Cleveland's concerns. To say that I was disappointed in Ralph Morgenweck's February 8, 2005 response is an understatement.

First, Mr. Morgenweck misstates the state's request. Mr. Cleveland did not wish for "the state, with authorization from the U.S. Fish and Wildlife Service" to live-capture and relocate wolves, as suggested in the Service's February 8, 2005 correspondence. Rather, the Game and Fish Department requested that "the **United States Fish and Wildlife Service** immediately remove or relocate the Daniel wolf pack to prevent the displacement of large numbers of elk onto private property and elk/cattle commingling." To demand "additional information from (the State) on the conflict and on the feasibility and potential success of relocation" and "identify the potential release sites" for relocating wolves prior to any action being taken by the Service is akin to holding the state hostage until such time as the Game and Fish Department assumes a monumental and contentious federal burden.

To say that wolves are a federal responsibility, following the Secretary's rejection of the state's management plan, would seem too obvious a response to Mr. Morgenweck's requests. But it is my response nonetheless. Certainly, the Game and Fish Department stands ready to assist in your efforts and offer its management expertise where appropriate, but the end decision rests with the federal government. To deny management until the state supplies answers that would otherwise require a crystal ball is not the answer. The guidance provided at 50 C.F.R. 17.84(3)(ix), together with the institutional knowledge of Mr. Bangs and the other wolf biologists employed by the Service, should be sufficient to allow the federal government to respond to these sorts of management dilemmas of its own volition.

Second, the Brucellosis issue is extremely contentious in Wyoming. To offer thinly veiled barbs at the state's feeding program, as a part of the Service's response to Mr. Cleveland's request, is to ignore the long history of federal missteps in Brucellosis management and the very

complex and delicate discussion that is currently underway in Wyoming regarding the issue. This is not a Brucellosis policy debate, and Brucellosis is not the State's singular concern with regard to the Daniel pack's activities. Beyond Brucellosis concerns, the dispersal of elk has implications for public safety, as wolf-harassed elk have been chased into highway rights-of-way. There are also financial consequences related to damage to private property. Thus, unless the federal government wishes to assume some responsibility for elk on highways and for animal damage claims, I suggest that the Service offer a more comprehensive management strategy for wolves that frequent feedgrounds.

Third, Mr. Morgenweck's offer to monitor "a wolf or two" on the Daniel site does not address the true problem. We know that the Daniel pack is displacing and harassing elk on several feedgrounds, which has, in turn, caused private property damage, jeopardized public and elk safety and threatened to exacerbate problems associated with Brucellosis management. As such, I ask for a more direct response to Mr. Cleveland's correspondence. To be sure, the need for management has reached an acute phase. An offer of additional monitoring will do nothing to alleviate these concerns.

Finally, the overall tone of Mr. Morgenweck's letter leaves me extremely frustrated. The dismissive nature of the response does not adequately capture the sense of urgency conveyed by Mr. Riley and yourself at the residence on February 6, 2005. Essentially, the Service has yet again attempted to leverage Wyoming into some form of compromise on wolf management by refusing to manage an intense, wolf-induced situation. To do so is counter to the Service's regulatory mandate set forth at 50 C.F.R. 17.84(3)(ix) and does nothing to mend the threadbare fence that currently exists between the state and the federal government relative to endangered species management.

I hope that a more cogent and thoughtful response is forthcoming that will address the state's concerns relative to the Daniel wolf pack and its harassment of the elk on several Wyoming feedgrounds. I thank you for your time and immediate attention to the matter and look forward to your hasty reply.

Best regards,



Dave Freudenthal  
Governor

DF:RL:pjb

c: Senator Craig Thomas  
Senator Mike Enzi  
Representative Barbara Cubin  
Steve Williams, Director, U.S. Fish and Wildlife Service  
Tom Sansonetti, U.S. Department of Justice  
Ralph Morgenweck, Regional Director, U.S. Fish and Wildlife Service  
Brian Kelly, Wyoming Field Supervisor, U.S. Fish and Wildlife Service  
Terry Cleveland, Director, Wyoming Game and Fish Department  
Pat Crank, Attorney General